



COMMUNITY DEVELOPMENT DEPARTMENT


Planning, Zoning and Building Safety

1415 Melody Lane, Bisbee, Arizona 85603

(520) 432-9240

Fax 432-9278

MEMORANDUM

TO: Board of Supervisors
FROM: Keith Dennis, Senior Planner 
SUBJECT: Docket TUP-12-01 (Western Junction)
DATE: August 3, 2012, for the August 14, 2012 Meeting

REQUEST FOR A TEMPORARY USE PERMIT REQUIRING BOARD OF SUPERVISORS' APPROVAL

The Applicant has applied for a Temporary Use Permit for two consecutive events, from October 26th to November 3, 2012. Section 1817.03.F requires that events of public interest of greater frequency of once per three months be subject to approval by the Board of Supervisors at a public hearing.

The subject property is the Western Junction Bar & Grill, Parcel No. 103-88-002B, located at 5838 Double Adobe Road in McNeal, AZ. The Applicant is Crystal Miller, proprietor.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING USES

Size: 10.59 Acres
Zoning: RU-4 (Rural)
Growth Area: Category D
Plan Designation: Rural
Area Plan: None Applicable
Existing Uses: Western Junction Bar & Grill
Proposed Uses: Unchanged

Surrounding Zoning

Relation to Subject Parcel	Zoning District	Use of Property
North	RU-4	Ranch Land
South	RU-4	Double Adobe Road, Rural Residential
East	RU-4	Double Adobe Road, Rural Residential
West	RU-4	Rural Residential

II. BACKGROUND

The Western Junction Bar and Grill in Double Adobe is home to an increasing number of special events throughout the year. Crystal Miller, owner and proprietor of the establishment, has filed for two temporary use permits for such events this year: in May for a Cinco de Mayo event, and again

in July. The latter permit actually concerns two events, which are scheduled to take place within the same week: a “Biker Rodeo” charity event from October 26th – 27th and an outdoor music festival called “Dysfunction at the Junction” November 1st – 3rd. The charity “Biker Rodeo” event is scheduled from 2pm to 3am on Friday, October 26th, and from 8am to 3am on Saturday, October 27th.

The second event is described as an outdoor music festival called “Dysfunction at the Junction.” This event would be held from 2pm to 2am, from Thursday, November 1st, through Saturday, November 3rd.

Not counting time for setup and dismantling, these two events would occur within an eight-day period. Due to the close proximity of these events to each other, staff is processing these two separate events under one Temporary Use Permit (TUP). However, Section 1817.03.F of the Zoning Regulations states that:

3. Maximum length of temporary use permit on a specific parcel that is not occupied by a community park, community center, or school shall be 7 days, including set-up time, within any 3-month period; and

6. Longer events of public interest up to 6 consecutive weeks within a 6-month period may be allowed, subject to approval by the Board of Supervisors. Upon receipt of a completed application, the Planning Director shall submit it to the Board of Supervisors for consideration and action.

Because the consecutive events would take place over an eight-day period, and because permitting the events would mean allowing three such events within a six-month period, staff determined that the request should be brought to a public hearing before the Board of Supervisors.

The Applicant intends to hold more such events in the future; the Biker Rodeo and the music festival, for instance, are intended to be annual events. Staff therefore advised Ms. Miller to apply for a Special Use Permit for Outdoor Recreation and Guest Lodging (for incidental camping activities primarily associated with these events). This has been done, and the Special Use request will be considered by the Planning Commission in September (Docket SU-12-11). As part of this Docket, the Planning Commission will consider the longer-term implications of such regular events, such as off-site impacts relative to traffic, lighting and other impacts.

III. PUBLIC COMMENT

Section 1817 requires that TUP hearings be legally noticed and the property posted 15 days prior to the date of the hearing. Property owner notice within 300 feet of the subject parcel is also required. Staff published a legal notice in the Bisbee Observer on July 26th, posted the property on July 31st, and notified neighbors as required. To date, staff has received favorable correspondence from two neighboring property owners indicating support for the request.

IV. SUMMARY AND RECOMMENDATION

As discussed above, this Temporary Use Permit request, like those in the past, would typically be processed administratively; should the Board approve the request, the permit will be processed as would any other such request. The frequency of such events is indicative of the success of an expanding business, which enjoys some support from neighbors. In order to ensure that special events be permitted in the future, the Applicant has engaged the Special Use process.

Staff recommends approval of Docket TUP-12-01, without condition.

V. ATTACHMENTS

- A. Permit Application and related materials
- B. Location Map
- C. Legal Notice
- D. Public Comment



COCHISE COUNTY JOINT PERMIT APPLICATION

Cochise County Community Development, 1415 Melody Ln., Bldg. E, Bisbee, AZ 85603 (520) 432-9240. Fax (520) 432-9278, www.cochise.az.gov

FOR DEPARTMENTAL USE ONLY

PLEASE PRINT OR TYPE PARTS A-F BELOW

PART A: DESCRIPTION OF PROPERTY

Tax Parcel Identification # 103-88-002B
Subdivision
Site Location/Address/City 5839 Doubly Adobe Rd, McNeal
Property Owner Name Crystal Miller
Mailing Address/City/Zip Code 8827 E. Alexander Dr. Heber 88501
Name of Applicant (if not property owner) Crystal Miller
Mailing Address/City/Zip Code 58th
Contact Person Crystal Miller Phone Number 508-8736
Email Crystal Miller Fax Number
PART B: PROPOSED PROJECT Biker Road + 3 day
Music System on the Reservation
Oct 26 + 27 Nov 1, 2, 3 2pm-12:00am

Replacement Manufactured Home Yes ☐ No ☒ Year of Manufactured Home
Gross Floor Area of Proposed Project _____ Structure Height _____
Estimated Value of Proposed Project _____ If constructing an addition/improvement to existing structure, what is the assessed value of existing structure? _____

PART C: HEALTH SERVICES SECTION

1. Sewer ☐ or Septic System ☒

TO BE COMPLETED IF ON SEPTIC SYSTEM ONLY:

Septic System: New ☐ Existing ☒ No. of Bedroom(s)/Den(s) _____

Indicate who will perform work: Owner ☐ Contractor ☐

If contractor, list name and license # _____

2. Water Supply: Public ☐ Community Well ☐ Private Well ☐

PART D: FLOODPLAIN SECTION

- Will watercourse be altered/relocated as a result of proposed use? Yes ☐ No ☒
- Proposed wash crossing: Bridge ☐ Culvert ☐ Dip ☐ Fill ☐ None ☐
- If alteration or wash crossing, explain on site plan and note if Temporary ☐ or Permanent ☐
- Any washes within 300' of the project? Yes ☐ No ☒

PART E: HIGHWAY RIGHT-OF-WAY SECTION

- Are any of the following existing on your property?
Electricity ☒ TV Cable ☐ Telephone ☒ Sewer ☐ Gas ☐ Culvert ☐ Driveway ☐
- Installation to property required:
Electricity Underground ☐ Overhead ☐ TV Cable Underground ☐ Overhead ☐
Telephone ☐ Sewer ☐ Gas ☐ Culvert ☐ Driveway ☐ Water Line ☐
Other _____

PART F: CERTIFICATION SIGNATURE

I hereby certify that I am the owner or duly authorized owner's agent and that all information on this application and the attached site plan is accurate. I understand that if any of this information is false, it may be grounds for revocation of this permit. I further certify that I will comply with all County, State and Federal regulations applicable to said property, and acknowledge that I am not authorized to begin work until I have received a numbered permit. I HEREBY AUTHORIZE COUNTY EMPLOYEES AND APPROPRIATE REGULATORY AGENCIES TO ENTER ONTO SAID PROPERTY TO MAKE REASONABLE INSPECTIONS FOR COMPLIANCE.

Signature Crystal Miller Date: 7/2/12

REVISED September 2011

Assigned County Address _____

Building Code ☒ Construction Plans submitted: Yes ☐ No ☒ Sub-Watershed ☒
Owner ☒ Limited ☐ Non-Code ☐ Hazard Zone ☐ Tompstone Agreement ☐ BSL ☐
Growth Area D Plan Designation Rural Tn. 23 Rg. 25 Sec. 9
Zoning District XBU-4 Map Ref. NK Supervisor District 2
Flood Zone XBU-4 Panel # 2550F Panel Date 8-28-08
Lot Area 10.87 Setbacks: N _____ S _____ E _____ W _____

PERMIT PROCESSING INFORMATION

Right-of-Way Rev. By: _____ Date _____ Permit Required ☐ N ☐
Flood Control Rev. By: _____ Date _____ Permit Required ☐ Y ☐ N ☐
Health Services Rev. By: _____ Date _____ Permit Required ☐ Y ☐ N ☐
RAD Rev. By: _____ Date _____ Review Required ☐ Y ☐ N ☐

Permit Type	Permit No.	Date Received	Fee	Receipt No.	Description
Bldg Code					
Bldg Code					
Bldg Code					
Non-Bldg Code					
Non-Bldg Code					
Manufactured Home/FBB					
Health					
Right-of-Way					
Flood Control					
RAD					
Review (Res/Comm)					
Surcharge/Other (specify)					
Other (specify)					
Total					

Permit approved for issuance by Permit Coordinator

Signature: _____

Date: _____



COMMUNITY DEVELOPMENT DEPARTMENT

Planning, Zoning and Building Safety

1415 Melody Lane, Bisbee, Arizona 85603

(520) 432-9240

Fax 432-9278

**COMMUNITY DEVELOPMENT DEPARTMENT
COMMERCIAL USE/BUILDING PERMIT/SPECIAL USE PERMIT QUESTIONNAIRE
(TO BE PRINTED IN INK OR TYPED)**

TAX PARCEL NUMBER: 103-88-002B

APPLICANT: Crystal Miller

MAILING ADDRESS: 8827 E Nevada Dr.

CONTACT TELEPHONE NUMBER: (520) 508-8736

PROPERTY OWNER (IF OTHER THAN APPLICANT): _____

ADDRESS: _____

DATE SUBMITTED: 7/2/12

Special Use Permit Public Hearing Fee (if applicable)

\$ _____

Building/Use Permit Fee

\$ _____

Total paid

\$ _____

PART ONE - REQUIRED SUBMITTALS

1. Cochise County Joint Application (attached).
2. Questionnaire with all questions completely answered (attached).
3. A minimum of (9) copies of a site plan drawn to scale and completed with all the information requested on the attached Sample Site Plan and list of Non-residential Site Plan Requirements. (In addition, if the site plan is larger than 11 x 17 inches, please provide one reduced copy.)
4. Proof of ownership/agent. If the applicant is not the property owner, provide a notarized letter from the property owner stating authorization of the Commercial Building/Use/Special Use Application.
5. Citizen Review Report, if special use.

6. Proof of Valid Commercial Contractor's License. (Note: any building used by the public and/or employees must be built by a Commercial Contractor licensed in the State of Arizona.)
7. Hazardous or Polluting Materials Questionnaire, if applicable.

OTHER ATTACHMENTS THAT MAY BE REQUIRED DEPENDING ON THE SCOPE OF THE PROJECT

1. Construction Plans (possibly stamped by a licensed Engineer or Architect)
2. Off-site Improvement Plans
3. Soils Engineering Report
4. Landscape Plan
5. Hydrology/Hydraulic Report
6. Traffic Impact Analysis (TIA): **Where existing demonstrable traffic problems have already been identified such as high number of accidents, substandard road design or surface, or the road is near or over capacity, the applicant may be required to submit additional information on a TIA.**
7. Material Safety Data Sheets
8. Extremely Hazardous Materials Tier Two Reports
9. Detailed Inventory of Hazardous or Polluting Materials along with a Contingency Plan for spills or releases

The Commercial Permit Coordinator/Planner will advise you as soon as possible if and when any of the above attachments are required.

PART TWO - QUESTIONNAIRE

In the following sections, thoroughly describe the proposed use that you are requesting. **Attach separate pages if the lines provided are not adequate for your response.** Answer each question as completely as possible to avoid confusion once the permit is issued.

SECTION A - General Description (Use separate sheets as needed)

1. What is the existing use of the property? Bar + Grill
2. What is the proposed use or improvement? Biker Rodeo Event and
Outdoor Music "Dysfunction @ the Junction"
Camping
3. Describe all activities that will occur as part of the proposed use. In your estimation, what impacts do you think these activities will have on neighboring properties? Musuc, dancing, eating, camp,
drinking, bike games. None - same as everyday use

4. Describe all intermediate and final products/services that will be produced/offered/sold.

Event Merchandise, Food, drinks, prizes,

5. What materials will be used to construct the building(s)? (Note, if an existing building(s), please list the construction type(s), i.e., factory built building, wood, block, metal)

None

6. Will the project be constructed/completed within one year or phased? One Year Y
Phased if phased, describe the phases and depict on the site plan.

7. Provide the following information (when applicable):

A. Days and hours of operation: Days: 10-26+27 / 11-1, 2+3 Hours (from 8 AM to 3 ~~PM~~ ^{AM})

B. Number of employees: Initially: 8 ^{+/-} Future: 15 ^{+/-}
Number per shift Seasonal changes

C. Total average daily traffic generated:

(1) How many vehicles will be entering and leaving the site?

50-800

(2) Total trucks (e.g., by type, number of wheels, or weight)?

N/A

(3) Estimate which direction(s) and on which road(s) the traffic will travel from the site?

East + West

(4) If more than one direction, estimate the percentage that travel in each direction?

50/50

(5) At what time of day, day of week and season (if applicable) is traffic the heaviest?

Late afternoon - Evening

D. Circle whether you will be on public water system or private well. If private well, show the location on the site plan.

Estimated total gallons of water used: per day _____ per year _____

E. Will you use a septic system? Yes ☒ No ____ If yes, is the septic tank system existing? Yes ☒ No ____
Show the septic tank, leach field and 100% expansion area on the site plan.

F. Does your parcel have permanent legal access*? Yes ☒ No ____
If no, what steps are you taking to obtain such access?

*Section 1807.02A of the Cochise County Zoning Regulations stipulates that no building permit for a non-residential use shall be issued unless a site has permanent and direct access to a publicly maintained street or street where a private maintenance agreement is in place. Said access shall be not less than twenty (20) feet wide throughout its entire length and shall adjoin the site for a minimum distance of twenty (20) feet.

Does your parcel have access from a (check one): _____ private road or easement**

☒ County-maintained road

_____ State Highway

**If access is from a private road or easement provide documentation of your right to use this road or easement and a private maintenance agreement.

G. For Special Uses only - provide deed restrictions that apply to this parcel if any.

Attached _____ NA ☒

H. Identify how the following services will be provided:

Service	Utility Company/Service Provider	Provisions to be made
Water		
Sewer/Septic		
Electricity		
Natural Gas		
Telephone		
Fire Protection		

SECTION B - Outdoors Activities/Off-site Impacts

1. Describe any activities that will occur outdoors.

Music, Bike Games, Food, Drink,
Vendors, Camping

2. Will outdoor storage of equipment, materials or products be needed? Yes ___ No X if yes, show the location on the site plan. Describe any measures to be taken to screen this storage from neighboring properties. _____
3. Will any noise be produced that can be heard on neighboring properties? Yes X No ___ if yes; describe the level and duration of this noise. What measures are you proposing to prevent this noise from being heard on neighboring properties? Usual noise from day to day operations
4. Will any vibrations be produced that can be felt on neighboring properties? Yes ___ No X if yes; describe the level and duration of vibrations. What measures will be taken to prevent vibrations from impacting neighboring properties? _____
5. Will odors be created? Yes ___ No X If yes, what measures will be taken to prevent these odors from escaping onto neighboring properties? _____
6. Will any activities attract pests, such as flies? Yes ___ No X If yes, what measures will be taken to prevent a nuisance on neighboring properties? _____
7. Will outdoor lighting be used? Yes X No ___ If yes, show the location(s) on the site plan. Indicate how neighboring properties and roadways will be shielded from light spillover. Please provide manufacturer's specifications.
8. Do signs presently exist on the property? Yes ___ No X If yes, please indicate type (wall, freestanding, etc.) and square footage for each sign and show location on the site plan.
- A. _____ B. _____ C. _____ D. _____
9. Will any new signs be erected on site? Yes ___ No X If yes, show the location(s) on the site plan. Also, draw a sketch of the sign to scale, show the copy that will go on the sign and **FILL OUT A SIGN PERMIT APPLICATION** (attached).

10. Show on-site drainage flow on the site plan. Will drainage patterns on site be changed?

Yes ___ No X

If yes, will storm water be directed into the public right-of-way? Yes ___ No ___

Will washes be improved with culverts, bank protection, crossings or other means?

Yes ___ No X

If yes to any of these questions, describe and/or show on the site plan.

11. What surface will be used for driveways, parking and loading areas? (i.e., none, crushed aggregate, chipseal, asphalt, other)

N/A

12. Show dimensions of parking and loading areas, width of driveway and exact location of these areas on the site plan. (See site plan requirements checklist.)

13. Will you be performing any off-site construction (e.g., access aprons, driveways, and culverts)?

Yes ___ No X

If yes, show details on the site plan. **Note: The County may require off-site improvements reasonably related to the impacts of the use such as road or drainage improvements.**

SECTION C - Water Conservation and Land Clearing

1. If the developed portion of the site is one acre or larger, specific measures to conserve water on-site must be addressed. Specifically, design features that will be incorporated into the development to reduce water use, provide for detention and conserve and enhance natural recharge areas must be described. The Community Development Department, Planning, Zoning and Building Safety has prepared a *Water Wise Development Guide* to assist applicants. This guide is available upon request. If the site one acre or larger, what specific water conservation measures are proposed? Describe here or show on the site plan submitted with this application.

N/A

2. How many acres will be cleared? N/A

If more than one acre is to be cleared describe the proposed dust and erosion control measures to be used (Show on site plan if appropriate.)

SECTION D - Hazardous or Polluting Materials

Does the proposed use involve hazardous materials? These can include paint, solvents, chemicals and chemicals wastes, oil, pesticides, herbicides, fertilizers, radioactive materials, or biological agents. Engine repair, dry cleaning, manufacturing and all uses that commonly use such substances in the County's experience require completion of the attachment.

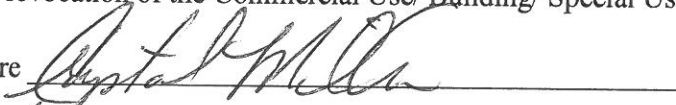
No 10 Yes If yes, complete the attached Hazardous Materials Attachment. Engine repair, manufacturing and all uses that commonly use such substances in the County's experience also require completion of the attachment.

Applications that involve hazardous or polluting materials may take a longer than normal processing time due to the need for additional research concerning the materials' impacts. The Arizona Department of Environmental Quality (ADEQ) Compliance Assistance Program can address questions about Hazardous Materials (1-800-234-5677, ext. 4333.)

SECTION E - Applicant's Statement

I hereby certify that I am the owner or duly authorized owner's agent and all information in this questionnaire, in the Joint Permit Application and on the site plan is accurate. I understand that if any information is false, it may be grounds for revocation of the Commercial Use/ Building/ Special Use Permit.

Applicant's Signature



Date signed

7/2/12

Southern Arizona Harley Riders MC

18th Annual

BIKER RODEO

Friday & Saturday

October 26/27, 2012

Western Junction Bar & Grill

(formerly Mike's Arena)

5838 Double Adobe Road

McNeal, AZ

FRIDAY

SATURDAY

(Just outside Bisbee)



Gates open at
2pm Friday
8am Saturday

RockUs

\$15 per person

www.sahr.us



SAHR

SOUTHERN ARIZONA HARLEY RIDERS

5838 W DOUBLE ADOBE RD MCNEAL, AZ 85615

INFO 520-432-2434

DYSFUNCTION AT THE JUNCTION

NOV 1ST 2ND AND 3RD

~~VARIOUS MUSICAL TALENTS EACH DAY BY:

Rick English

Rowdy Johnson

Thunder Mountain

Eagle Heart

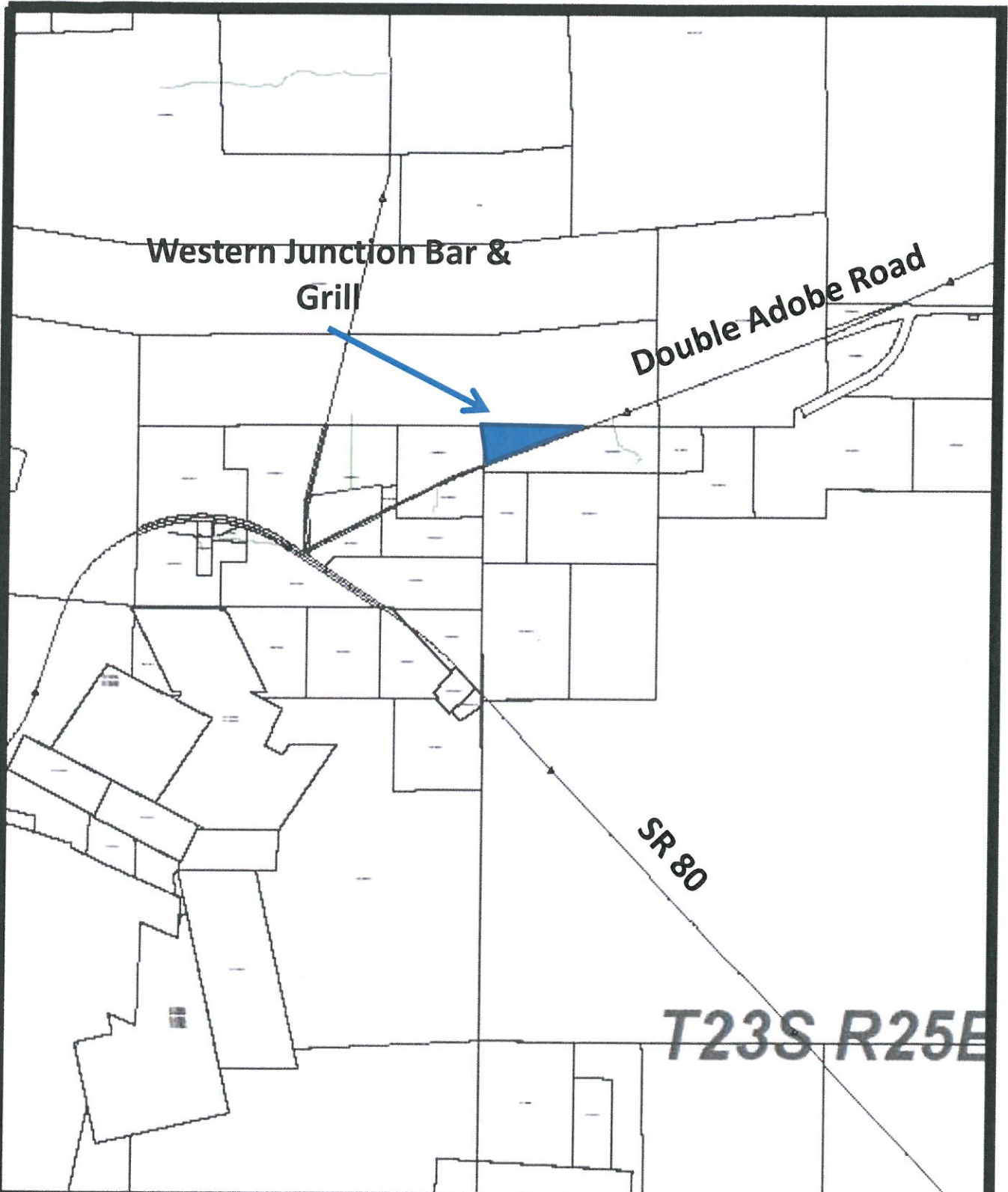
Frontier Justice

Outlaw Attitude

Rock Us

And SOOO Many More!!!

\$10 per day... \$20 for the Weekend ... \$5 to dry Camp... 2pm-Midnight or later!!



**Docket TUP-12-01
(Western Junction)
Location Map**

This map is a product of the
Cochise County GIS



0' 1" = 2000'

LEGAL NOTICE NOTICE OF PUBLIC HEARING

The Cochise County Board of Supervisors hereby gives notice a public hearing will be held at or after 10:00 a.m., on Tuesday, August 14, 2012 at the Cochise County Board of Supervisors Hearing Room, at 1415 Melody Lane, Building G, in Bisbee, Arizona, to consider the following:

Docket TUP-12-01 (Western Junction): The Applicant, Crystal Miller of the Western Junction Bar & Grill, proposes to host two temporary events. The first is charity event (“Biker Rodeo”) which will be held on October 26th and 27th. The second is an outdoor concert (“Dysfunction at the Junction”) proposed for November 1 – 3. Per Section 1817.03.F of the Zoning Regulations, no more than one such event is allowed in within a 3-month period, unless the Board of Supervisors approves the request at a public hearing.

The subject parcel (103-88-002B) is located at 5838 Double Adobe Road in McNeal, AZ. It is further described as being situated in Section 9 of Township 23, Range 25 East of the G&SRB&M, in Cochise County, Arizona.

Details of the above docket are on file in the Cochise County Planning Department and may be examined during office hours. Inquiries may be directed to Planner Keith Dennis by calling 520-432-9240, or by email to kdennis@cochise.az.gov. All persons interested in said matter may appear at the public hearing and show cause why the request should or should not be granted.

Dated July 19, 2012.

Richard Searle, Chairman, Board of Supervisors

Publish: *Bisbee Observer*

No later than July 26, 2012

Dennis, Keith

From: Sara Monson [monson.sara@hotmail.com]
Sent: Tuesday, July 31, 2012 9:12 AM
To: Dennis, Keith
Subject: western junction

Dear Mr. Dennis,

The request for docket TUP-12-01 (Western Junction) is okay with us. At this time we do not occupy our property so it would not be an inconvenience to us.

Sincerely,

Sara Monson

Docket TUP-12-01 (Western Junction)

☒ YES, I SUPPORT THIS REQUEST

Please state your reasons: its helping the community
bringing in jobs to the area

☐ NO, I DO NOT SUPPORT THIS REQUEST:

Please state your reasons: _____

(Attach additional sheets, if necessary)

PRINT NAME(S): _____

SIGNATURE(S): _____

YOUR TAX PARCEL NUMBER: 103-88-002B (the eight-digit identification number found on the tax statement from the Assessor's Office)

YOUR ADDRESS 10216 AXEHEAD DR HEREFORD AZ 85615

Upon submission of this form or any other correspondence, it becomes part of the public record and is available for review by the Applicant or other members of the public. **Written comments must be received by our Department no later than 4 PM on August 2, 2012 if you wish the Board to consider them before the August 14, 2012 meeting. We can not make exceptions to this deadline. However, if you miss the written comment deadline you may still make a statement at the public hearing listed above. NOTE: Please do not ask the Board of Supervisors to accept written comments or petitions at the meeting, as they do not have sufficient time to read materials at that time. Your cooperation is greatly appreciated.**

RETURN TO: Keith Dennis

Cochise County Planning Department

1415 Melody Lane, Building E

Bisbee, AZ 85603

Email: kdennis@cochise.az.gov

COCHISE COUNTY

JUL 30 2012

PLANNING